

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

MELLISSA RINEHOLT,

*Plaintiff,*

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

*Defendant.*

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No. 1:08-cv-5  
*Edgar / Carter*

**MEMORANDUM AND ORDER**

Plaintiff brings a motion for attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). [Court Doc. No. 20]. This motion was referred to United States Magistrate Judge William Carter pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b) for a report and recommendation. Magistrate Judge Carter filed his report and recommendation on June 22, 2009. [Court Doc. No. 22].

The parties have not filed any timely objections. After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

Accordingly, Plaintiff's motion for attorney's fees under the EAJA, 28 U.S.C. § 2412(d), is **GRANTED**. The Plaintiff is hereby awarded attorney's fees in the amount of \$8,904.00 and

paralegal time of \$138.00 for a total award of \$9,042.00.

SO ORDERED.

ENTER this 9<sup>th</sup> day of July, 2009.

/s/ R. Allan Edgar  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE